

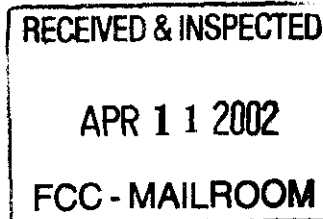
Maria Matava  
Database Specialist  
Maria Gibbons  
Database Support  
Delphine Buttilly  
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System Technician

**GALLUP-MCKINLEY COUNTY PUBLIC SCHOOLS  
TECHNOLOGY SERVICES**

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**Robert Gomez, Superintendent**

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**David Oakes, Director**



March 18, 2002

**DOCKET FILE COPY ORIGINAL**

Magalie Roman Salas  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Suite TW-A325  
Washington, DC 20554

**RE: CC Docket No. 02-6/ Notice of Proposed Rulemaking; Comments**

**Comments  
By  
Gallup McKinley County Schools**

Enclosed are: Gallup McKinley County Schools files these Comments regarding the proposed E-Rate Rule changes plus a 3.5 inch diskette formatted in IBM-compatible format using Microsoft Word 97 for Windows.

**This diskette is in "read only" mode.**

Sincerely,

A handwritten signature in cursive script, appearing to read "David Oakes".

David Oakes  
Director  
Technology/Telecommunications

No. of Copies rec'd \_\_\_\_\_  
List AB# \_\_\_\_\_

Handwritten initials "D/O" in a stylized, slanted font.

**GALLUP-McKINLEY COUNTY PUBLIC SCHOOLS  
GALLUP, NEW MEXICO 87305-1318**

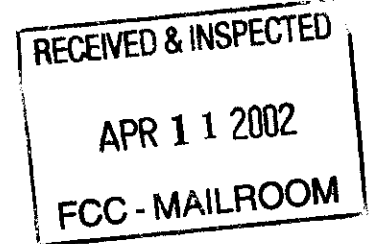
**ROBERT GOMEZ**  
SUPERINTENDENT

**ANGELO DiPAOLO**  
Assistant to the Superintendent

March 18, 2002



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Magalie Roman Salas  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Suite TW-A325  
Washington, DC 20554

**RE: CC Docket No. 02-6, Notice of Proposed Rulemaking; Comments**

**Comments**  
**By**  
**Gallup McKinley County Schools**

Gallup McKinley County Schools files these Comments regarding the proposed E-Rate Rule changes:

Enclosed are the original and four copies of the Comments. An extra copy is also enclosed. Please time stamp the extra copy and return it to me in the enclosed self-addressed-stamped envelope.

A diskette has been sent to: a) Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, 445 Twelfth Street, S.W., Room 5-B540, Washington, D.C. 20554, and b) Qualix International, Portals II, 445 Twelfth Street S.W. Room CY-B402, Washington, D.C. 20554.

What should the SLD do with the funds that are left over after each e-rate year?

**All prior unused funds should be rolled over to E-rate Year 5. Thereafter, unused funds, if any, should be rolled over as a matter of practice.**

Gallup McKinley County Schools (GMCS) still needs funding for technology purposes: telecommunications, Internal connections, and Internet Access. **There is much work still to be done.** Moreover, the FCC made a commitment to school districts, including GMCS, when the FCC stated in Report and Order, CC Docket No. 96-45, Released: May 8, 1997 (FCC 97-157), at Para. 425, "In addition, any funds that are not disbursed in a

given year shall be carried forward and may be disbursed in subsequent years without regard to the cap." By the FCC's own admission, this has not been done.

Should the SLD prevent the transferability of equipment from one of your funded buildings to one of your non-funded buildings?

**No rule should be implemented that would limit equipment transferability; and no rule should be implemented that would limit applications for E-rate in alternate years.**

The United States Congress stated in the Joint Explanatory Statement of the Committee of the Conference, Conference Report, Report 104-230, 104<sup>th</sup> Congress, 2<sup>nd</sup> Session, February 1, 1996, that: "The ability of K-12 classrooms...to obtain access to advanced telecommunications services is critical to ensuring that these services are available on a universal basis. The provisions of subsection (h) will help open new worlds of knowledge, learning and education to all Americans-rich and poor, rural and urban." Pg.,132. And, further, Congress made it clear that USF "...will assure that no one is barred from benefiting from the power of the Information Age." *Ibid.*, Pg., 133. [Emphasis added] However, the FCC's proposed rule clearly does not promote Congressional intent because, not only has the FCC not used all available funds for e-rate purposes, but also by limiting the number of times an otherwise eligible entity may apply for funds will effectively disenfranchise an eligible entity.

The Gallup McKinley County School District is a rural district in North-West New Mexico. The district serves approximately 14,000 students. 75% of our students are Native American (primarily Navajo). The District includes all but the southwest corner of the county with 33 schools. The 5,500 square miles is roughly the size of New Jersey. Before E-Rate made possible the installation of Local Area Networks in each school and leasing of Wide Area Network facilities, schools within the district were limited to dial up access to the Internet. Since most of our communities are very remote, all Internet Service Provider dial up facilities were long distance calls for these schools.

With the availability of E-Rate funds, GMCS has been able to largely eliminate the distance between schools. Using email, and distance learning technology schools has been able to share resources that would not have been possible 4 years ago. Our school libraries are now linked so that all holdings in the district can be made available to any student in the district, regardless of location.

Access to the Internet in every classroom has allowed teachers and student access to the most current information available. Many textbooks are sadly out of date shortly after their publication. The Internet is dynamic. The constant updates assure that students are learning what the best minds in the world are currently researching and teaching.

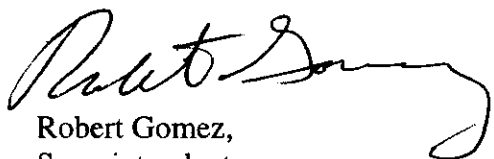
A Technology plan covering several years has been written based on the availability of funds (including e-rate). E-Rate must be a reliable and predictable source of funds for schools such as GMCS. **Without this program we could not afford to implement**

**such an ambitious Technology plan, and bridge the Digital Highway to students of the Navajo Reservation.**

I agree with Commissioner Michael J. Copps when he states that "Now is not the time to shortchange our children's future." NPRM, Separate Statement of Commissioner Michael J. Copps, Approving in Part, Dissenting in Part. This is especially true on the Navajo Reservation.

Thank you for this opportunity to provide input toward these proposed rules changes. I trust that the opinion expressed will be carefully considered.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Gomez", written in dark ink.

Robert Gomez,  
Superintendent.

Cc: United States Senate  
United States House of Representatives